

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN**

GWYNETH GILBERT, MONICA DECRESCENTIS and STEPHANIE ANDREWS, et al., on behalf of themselves and all others similarly situated, Plaintiffs, v. LANDS' END, INC. and LANDS' END OUTFITTERS, INC., Defendants.	Consolidated Civil Action No. 3:19-cv-823-JDP
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AMENDED CONSENT MOTION FOR LEAVE TO ADD NEW PLAINTIFFS TO THE CONSOLIDATED CLASS ACTION COMPLAINT

Plaintiffs and class representatives Gwyneth Gilbert, et al., on behalf of themselves and all others similarly situated (collectively the “Plaintiffs”), by their attorneys, seek leave to add new plaintiffs to the Consolidated Class Action Complaint. In support of this Motion, Plaintiffs state:

1. On May 20, 2020, Plaintiffs filed their Consolidated Class Action Complaint against Defendants Lands’ End, Inc. and Lands’ End Outfitters, Inc., (collectively the “Defendants”). Doc. 48.
2. Since the filing of the consolidated complaint, Plaintiffs’ counsel has been retained by sixty-three (63) prospective plaintiffs who have asked to join this consolidated lawsuit, and have already completed the “Plaintiff Questionnaire” (developed by the Defendants). See Exhibit 1, Supplement to the Third Amended Appendix A filed on May 20, 2020 (Doc. 48).

3. The Federal Rules of Civil Procedure permit the court to freely add parties. Fed. R. Civ. P. 21 states that “the court may at any time, on just terms, add or drop a party.” Fed. R. Civ. P. 15 states that “a party may amend its pleading only with the opposing party's written consent or the court's leave. The court should freely give leave when justice so requires.”

4. On September 17, 2020, Defendants were provided a preliminary version of this Motion and Exhibit 1. Since that time, counsel for Plaintiffs have been periodically providing new questionnaires for prospective plaintiffs to Defendants, and coordinating the best way to add them to this case. On November 24, 2020, Defendants filed a motion to dismiss certain plaintiffs, but also stated they had no objection to adding new plaintiffs through December 18, 2020. Doc. 73.

5. On December 18, 2020, the original version of this consent motion was filed listing fifty-six (56) prospective plaintiffs. Doc. 91.

6. Since then, seven (7) more prospective plaintiffs timely submitted their Plaintiff Questionnaire by the December 18, 2020 midnight deadline established in the Court’s Nov. 25, 2020 order. Doc. 74. The amended motion includes these seven (7) plaintiffs in addition to the previous fifty-six (56) plaintiffs. On December 23, 2020, Defendants were provided this final version of this Motion and did not have any objection to it.

7. The Motion does not modify or alter any substantive allegation in the complaint, it only increases the number of plaintiffs in the consolidated case.

WHEREFORE, Plaintiffs respectfully request that the Court enter an order allowing these sixty-three (63) prospective plaintiffs to join the case.

Dated: December 23, 2020.

TERRELL HOGAN YEGELWEL, P.A.

/s/ Bruce A. Maxwell

Bruce A. Maxwell

Admitted to the U.S. Supreme Court:
03/29/1993

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CERTIFICATE OF SERVICE

I hereby certify that on the 23rd day of December 2020, I electronically filed the foregoing document with the Clerk of Court using the CM/ECF system, which will send notification of such filing to all registered CM/ECF participants.

/s/ Bruce A. Maxwell _____

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